

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DATATREASURY CORPORATION

§

§

V.

§

No. 2:06CV72

§

WELLS FARGO & COMPANY, ET AL.

§

ORDER

Pursuant to the provisions of 28 U.S.C. § 636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for Assignment of Duties to United States Magistrate Judges, all discovery matters in the above-referenced consolidated cause of action were referred to the undersigned for decision. Pending before the Court are Plaintiff's Motion to Authorize Jurisdictional Discovery Against Defendant First Citizen Bancshares, Inc. (Docket Entry # 213), Plaintiff's Motion to Authorize Jurisdictional Discovery Against Defendant HSBC North America Holdings, Inc. (Docket Entry # 214), and Plaintiff's Motion to Authorize Jurisdictional Discovery Against Defendant UnionBanCal Corporation (Docket Entry # 215). The Court, having reviewed the relevant briefing, is of the opinion the motions should be **GRANTED AS MODIFIED**. Accordingly, it is

ORDERED that Plaintiff may propound interrogatories, requests for production, and requests for admissions to Defendants First Citizen Bancshares, Inc., HSBC North America Holdings, Inc., and UnionBanCal Corporation dealing specifically with jurisdictional issues. These discovery requests shall not count against the number of discovery requests available to Plaintiff under the Federal Rules of Civil Procedure and the Court's Local Rules. Plaintiff may also depose one Rule 30(b)(6) representative of each Defendant with the most knowledge of the jurisdictional issues raised by each Defendant. It is further

ORDERED that Plaintiff may file an amended response to each Defendant's motion to

dismiss and an amended complaint after receiving this discovery, if warranted. Plaintiff's amended response(s), if any, to Defendant's motions to dismiss shall be filed on or before February 16, 2007.

The Court will not entertain extensions in this regard.

IT IS SO ORDERED.

SIGNED this 8th day of December, 2006.


CAROLINE M. CRAVEN
UNITED STATES MAGISTRATE JUDGE